

1 BRIAN J. STRETCH (CABN 163973)
United States Attorney

2 BARBARA J. VALLIERE (DCBN 439353)
3 Chief, Criminal Division

4 SARAH HAWKINS (CABN 257723)
Assistant United States Attorney

5 450 Golden Gate Avenue, Box 36055
6 San Francisco, California 94102-3495
7 Telephone: (415) 436-7126
8 Fax: (415) 436-7207
Email: Sarah.Hawkins@usdoj.gov

9 Attorneys for United States of America

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,)	CASE NO. CR 15 0489 RS
)	
14 Plaintiff,)	STIPULATION AND PROPOSED ORDER TO
)	CONTINUE DETENTION HEARING AND
15 v.)	EXCLUDE TIME FROM OTHERWISE
)	APPLICABLE SPEEDY TRIAL ACT
16 DOUGLAS LEE SMITH,)	CALCULATION
)	
17 Defendant.)	
)	
)	
)	

19
20 **STIPULATION**

21 IT IS HEREBY STIPULATED by the parties, through undersigned counsel, that:

22 1. The parties appeared on May 23, 2017 at 2:30 p.m. for a status hearing which had
23 originally been set for a change of plea hearing. Mr. Smith was represented by Ethan Balogh. Assistant
24 United States Attorney Sarah Hawkins appeared for the government.

25 2. At the appearance, the parties jointly requested that the change of plea hearing be
26 continued to June 20, 2017, a date agreed upon by the Court.

27 3. The parties further respectfully requested that the period from May 23, 2017, through and
28 including June 20, 2017, should be excluded from the otherwise applicable Speedy Trial Act

1 computation because the continuance is necessary due ongoing investigation in the case.

2 4. The parties concur that granting the exclusion would allow the reasonable time necessary
3 for effective preparation of counsel and continuity of counsel. *See* 18 U.S.C. §3161(h)(7)(B)(iv). The
4 parties also agree that the ends of justice served by granting such an exclusion of time for the purposes
5 of effective preparation of counsel outweigh the best interests of the public and the defendant in a
6 speedy trial. 18 U.S.C. § 3161(h)(7)(A).

7
8 IT IS SO STIPULATED.

9
10 DATED: May 25, 2017

BRIAN J. STRETCH
United States Attorney

11
12 /s/
13 SARAH HAWKINS
Assistant United States Attorney

14
15 DATED: May 25, 2017

16 /s/
17 ETHAN A. BALOGH
Counsel for Douglas Smith

1 **~~PROPOSED~~ ORDER**

2 Based upon the above-described Stipulation, THE COURT FINDS THAT the ends of justice
3 served by granting a continuance from May 23, 2017 to June 20, 2017 outweigh the best interest of the
4 public and the defendant in a speedy trial, and that failure to grant such a continuance would
5 unreasonably deny the defendant the reasonable time necessary for effective preparation, taking into
6 account the exercise of due diligence.


7 Accordingly, THE COURT ORDERS THAT:

8 1. The parties shall appear before the Court on June 20, 2017 at 2:30 p.m. for a change of
9 plea.

10 2. The period from May 23, 2017 through and including June 20, 2017 is excluded from the
11 otherwise applicable Speedy Trial Act computation, pursuant to 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

12 IT IS SO ORDERED.

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14 DATED: 5/26/17


HON. RICHARD SEEBORG
United States District Judge